

United States District Court
for
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Patrick Edward Smith Case Number: 3:08-00117
Name of Sentencing Judicial Officer: Honorable William J. Haynes, Jr., Chief U.S. District Judge
Date of Original Sentence: February 13, 2009
Original Offense: 18 U.S.C. § 922(g)(1) Felon in Possession of a Firearm
Original Sentence: 39 months' custody followed by 3 years' supervised release
Date of Revocation Sentence: October 17, 2012
Revocation Sentence: 9 months' custody followed by 2 years' supervised release
Type of Supervision: Supervised Release Date Supervision Re-Commenced: July 15, 2013
Assistant U.S. Attorney: Lynne Ingram Defense Attorney: Mike Holley

THE COURT ORDERS:

- ☒ No Action *as recommended by [signature]*
☐ The Issuance of a Warrant
 ☐ Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshal only)
☐ The Issuance of a Summons
☐ Other

Considered this 21st day of October, 2013,
and made a part of the records in the above case.

[Signature]
William J. Haynes, Jr.
Chief U.S. District Judge

I declare under penalty of perjury
that the foregoing is true and correct.
Respectfully submitted,

[Signature]
Kara Sanders
U.S. Probation Officer

Place Nashville, Tennessee

Date October 9, 2013

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation No.</u> | <u>Nature of Noncompliance</u> |
|----------------------|--------------------------------|
|----------------------|--------------------------------|

- | | |
|----|--|
| 1. | <u>The defendant shall not purchase, possess, use, distribute, or administer any controlled substance, except as prescribed by a physician.</u> |
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On July 29, 2013, Mr. Smith tested positive for cocaine. On September 17, 2013, Mr. Smith tested positive for cocaine and marijuana. Both urine samples were confirmed by Alere Laboratories as positive for cocaine only.

On July 29, 2013, Mr. Smith denied cocaine use, and reported an old friend, "Chico," approached him at a convenience store on Trinity Lane, on July 28, 2013, and tried to give him cocaine. He reported he did take it in his hand, but then gave it back. Mr. Smith also reported that he and "Chico" got into a fight over the cocaine, and someone inside the store called the police. Mr. Smith did stay at the store and reported the incident to the police and no arrest was made.

On September 19, 2013, Mr. Smith admitted that he smoked a marijuana blunt on or about September 13, 2013. He denied the use of cocaine.

Compliance with Supervision Conditions and Prior Interventions:

Mr. Smith began his first term of supervised release on December 12, 2011. His three-year term of supervision was revoked by Your Honor on October 17, 2012, for repeated positive drug tests for marijuana and cocaine, a Burglary conviction and failure to participate in mental health and substance abuse treatment. He was ordered to serve nine months' custody followed by two years' supervised release, with the same conditions of supervision as previously ordered. Mr. Smith began his second term of supervised release on July 15, 2013. His current supervised release termination date is July 14, 2015.

On August 1, 2013, Mr. Smith was assessed for mental health and substance abuse issues with Centerstone Mental Health. It was recommended Mr. Smith attend individual mental health treatment and continue to take his mental health medication as directed. He has attended mental health treatment as directed in August and September 2013. However, on October 4, 2013, he did not show for his mental health appointment. To date he has not rescheduled.

As a result of the positive drug tests, in September 2013, Mr. Smith was instructed to attend group substance abuse treatment with Centerstone Mental Health. Mr. Smith has been attending the weekly substance abuse treatment group as directed.

Mr. Smith was employed with Industrial Staffing from August 2013 to September 2013. He is currently unemployed due to injuries sustained from an alleged bicycle accident, where he reports being hit by an SUV. Hospital verification has been requested, but not received to date. U. S. Probation Officer Kara Sanders conducted a home contact on October 3, 2013, and Mr. Smith did appear to have sustained injuries from some type of accident.

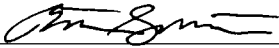
Mr. Smith resided with his father from July 2013 to September 2013. In October 2013, he moved in with his girlfriend, as she is assisting him with his medical issues from the bicycle accident.

U.S. Probation Officer Recommendation:

It is respectfully recommended that no action be taken at this time and Mr. Smith be allowed to continue to take advantage of substance abuse and mental health treatment and continue on supervision. However, these violations may be considered in the future, if necessary. Any future violations or positive drug tests will be promptly reported to the Court.

The U.S. Attorney's Office concurs with the probation officer's recommendation.

Approved:



Britton Shelton
Supervisory U.S. Probation Officer